

File: H/86-3-HF1

1 In the Matter of the Hearing to)
2 Determine Whether or Not to Revoke,)
3 Suspend, or Place on Probation the)
4 Certificate of Registration Number)
5 8319 censure or fine Kirk- Frederick)
6 Dietz.)

AMENDED
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER
No. 86-3-H

DIRECTED TO: KIRK-FREDERICK DIETZ
730 E. McKellips No.C-127
Tempe, Arizona 85281

This matter came before the Arizona State Board of Pharmacy for hearing on the 4th day of March, 1987, pursuant to Complaint and Notice of hearing No. 86-3-H (hereinafter referred to as "Complaint"), attached to and made a part of this order. Al Brooks, President, presided, with Daniel Jacob, Vice President, and Members Paula Bickett, Norma Mc Connell, and Adaline Pangrazi in attendance and participating therein.

The State was represented by the office of the Attorney General, Montgomery Lee, Assistant Attorney General. The respondent, Kirk-Frederick Dietz was present and was represented by Counsel, Richard Juarez. The Board, after consideration of the evidence and testimony presented, hereby makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I

Kirk-Frederick Dietz is a Pharmacist holding Certificate of Registration No. 8319 issued by the Board under A.R.S. § 32-1922.

II

Sufficient evidence was presented, that between Feb. 11, 1986 and March 18, 1986 while employed as a Pharmacist at Saint Joseph's Hospital Pharmacy, 350 N. Wilmot Road, Tucson, Arizona, that Kirk-Frederick Dietz obtained approximately 6.48 grams Cocaine HCL, a narcotic drug (defined in A.R.S. §13-3401.16) and a

1 controlled substance (defined in A.R.S. § 36-2513) from Saint Joseph's Hospital
2 Pharmacy, Tucson, Arizona, without a prescription order from a medical prac-
3 titioner, in violation of A.R.S. § 13-3406 and 36-2525B.

4 III

5 The above described violation constitutes grounds for discipline pursuant to
6 A.R.S. § 32-1927.A.10. and A.R.S. § 32-1927.B.2.

7 ORDER

8 IV

9 In view of the Findings of Fact and Conclusions of Law the Board hereby
10 issued the following order:

- 11 1. Pharmacist registration #8319 issued to Kirk-Frederick Dietz is suspended
12 for two years commencing 10 days after service of this order or upon the
13 Board's action after a timely motion for rehearing, if later. Respondent will
14 submit monthly reports to the Board of Pharmacy stating the name of the subst-
15 ance abuse rehabilitation program or after care program and the contact person
16 monitoring respondent's progress.
- 17 2. Upon restoration of license, registrant will be placed on five year probation
18 during which time respondent will continue to participate in rehabilitation or
19 after care support programs and submit monthly progress reports to the Board of
20 Pharmacy.
- 21 3. Respondent will have option of requesting the Board of Pharmacy to review and
22 reinstate registration at any time during the two year suspension.
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1 Dated this 9th day of June, 1987

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ARIZONA STATE BOARD OF

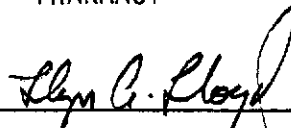
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PHARMACY

5

SEAL

By



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Llyn A. Lloyd
Executive Secretary

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Copies of the Foregoing Notice
of Findings of Fact and Conclusions
of Law mailed by Certified mail
this 9th Day of June, 1987 to:

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Kirk-Frederick Dietz
730 East McKellips No. C-127
Tempe, AZ 85281

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Richard Juarez
815 N. 1st Ave.
Phoenix, AZ 85003

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And by Courier Mail to:

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Montgomery Lee
Assistant Attorney General
1275 W. Washington
Phoenix, AZ 85007
Attorney for the State

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